

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ROBERT L. SANFORD,

Plaintiff,

v.

EATON, *et al.*,

Defendants.

Case No. 1:20-cv-00792-NONE-BAM (PC)

ORDER DENYING PLAINTIFF'S EX PARTE
REQUEST FOR EXTENSION OF TIME TO
SUBMIT AMENDED COMPLAINT

(ECF No. 22)

ORDER EXTENDING DEADLINE FOR
PLAINTIFF TO FILE OBJECTIONS TO
FINDINGS AND RECOMMENDATIONS

THIRTY (30) DAY DEADLINE

Plaintiff Robert L. Sanford ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On July 16, 2021, the Court screened Plaintiff's second amended complaint and issued findings and recommendations that the federal claims in this action be dismissed based on Plaintiff's failure to state a cognizable claim upon which relief may be granted and the Court decline to exercise supplemental jurisdiction over Plaintiff's purported state law claims. (ECF No. 21.) Plaintiff was directed to file any objections to the findings and recommendations within fourteen days. (*Id.* at 17.)

Currently before the Court is Plaintiff's ex parte request for an extension of time to submit an amended complaint, filed July 30, 2021. (ECF No. 22.) In the request, Plaintiff states that he

1 received the findings and recommendations on July 19, 2021, and as the response would be due
2 on August 3, 2021, Plaintiff requests to have the deadline extended to August 17, 2021. Plaintiff
3 further states that the California Department of Corrections recently announced that California
4 Correctional Institution, where Plaintiff is currently housed, will be closed down. Due to this
5 recent change of events, access to the law library has been “practically dissolved,” as they are
6 now closing the buildings and removing the equipment from the facility. Plaintiff states that
7 inmates are being constantly reassigned to housing and classification processes pending transfer.
8 (*Id.*)

9 As noted above, the Court issued findings and recommendations and set a deadline for
10 Plaintiff to file his objections, **not** to file a further amended complaint. However, based on
11 Plaintiff’s motion, it appears that an extension of the deadline for Plaintiff to file his objections is
12 warranted. The Court finds that an extension of thirty days is appropriate under the
13 circumstances. **This is not an extension of time for Plaintiff to file an amended complaint.**

14 Accordingly, IT IS HEREBY ORDERED that:

- 15 1. Plaintiff’s ex parte request for extension of time to submit an amended complaint, (ECF
16 No. 22), is DENIED; and
- 17 2. Plaintiff’s objections to the July 16, 2021 findings and recommendations are due within
18 **thirty (30) days** from the date of service of this order.

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20 IT IS SO ORDERED.

21 Dated: **August 2, 2021**

22 /s/ Barbara A. McAuliffe
23 UNITED STATES MAGISTRATE JUDGE
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